

REMARKS/ARGUMENTS

The Office Action mailed May 4, 2004, has been received and reviewed. Claims 10 through 20, and 59 through 66 are currently pending in the application. Claims 59 through 66 are allowed. Claims 10 and 14 through 20 stand rejected. Claims 11 through 13 have been objected to as being dependent upon rejected base claims, but the indication of allowable subject matter in such claims is noted with appreciation. Applicant has not amended any claims, is filing a terminal disclaimer herewith, and respectfully requests reconsideration of the application as amended herein.

Double Patenting Rejection Based on U.S. Patent No. 5,933,743

Claims 10 and 14 through 20 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 6 through 11 and 13 of U.S. Patent Application No. 10/215,991. In order to avoid further expenses and time delay, Applicant elects to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §1.321 (b) and (c). Applicant's filing of the terminal disclaimer should not be construed as acquiescence of the Examiner's double patenting or obviousness-type double patenting rejections. Attached is the terminal disclaimer and accompanying fee.

Objections to Claims 11 through 13/Allowable Subject Matter

Claims 11 through 13 stand objected to as being dependent upon rejected base claims, but are indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form. In view of the submission of a terminal disclaimer, which is believed to overcome the rejection to independent claim 10, claims 11 through 13 which depend therefrom are now believed to be allowable.

CONCLUSION

Claims 10-20 and 59-66 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,



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